

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DAVID ANTHONY FALLON,

Plaintiff,

v.

UNITED STATES GOVERNMENT,

Defendant.

No. C 06-80362-MISC MHP
No. C 06-80363-MISC MHP

ORDER

On December 26, 2006, plaintiff David Anthony Fallon filed what appear to be two complaints, each naming the “United States Government” as the sole defendant. The first “complaint” (No. C 06-80362-MISC MHP) states only that Fallon lived in a particular house and attended public schools in South San Francisco from 1958 to 1975, and that he is therefore entitled to a judgment of one hundred trillion dollars. The second “complaint” (No. C 06-80363-MISC MHP) is largely unintelligible, but claims that Fallon is entitled to judgment in the amount of eight hundred trillion dollars.

A district court may deny in forma pauperis status and dismiss a complaint if it is frivolous. See 28 U.S.C. § 1915(e)(2)(B). A complaint is frivolous if “it lacks any arguable basis either in law or in fact.” Neitzke v. Williams, 490 U.S. 319, 325 (1989). A complaint that is clearly based on “fantastic or delusional scenarios” may be dismissed as frivolous under section 1915. Denton v. Hernandez, 504 U.S. 25, 32 (1992). Fallon’s latest complaints are frivolous because they are

1 unintelligible and appear to be grounded on fantastic or delusional scenarios.

2 Given Fallon's extensive history of filing frivolous *pro se* complaints, often against the
3 United States Government, this court has previously ordered that Fallon shall not file any further
4 actions in this court without receiving pre-filing approval by this judge. See Order re Filing, Fallon
5 v. United States Government, No. 06-80179-MISC MHP, Docket No. 2 (Aug. 31, 2006). Because
6 Fallon's latest complaints are frivolous and unintelligible, the court does not approve these filings.

7 The court therefore DENIES plaintiff's application to proceed in forma pauperis and
8 DISMISSES these complaints without leave to amend. Accordingly, these actions are hereby
9 DISMISSED WITH PREJUDICE.

10 IT IS SO ORDERED.

11 Dated: January 8, 2007



MARILYN HALL PATEL
District Judge
United States District Court
Northern District of California